IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 5th day of May 2004

Supplementary Affidavit

IN

Criminal Misc. Bail Application No. 290/ 2005

Order on the bail application of accused

CRIMINAL SIDE

Manoj Kumar Gupta
S/o Ram Prakash
R/o B- 13, Dilshad Colony
P.S. Seemapuri
New Delhi ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 217 / 2004
U/s 460, 411, 302, 394 I.P.C.
Police Station Patelnagar
District Dehradun

Hon'ble J.C. S. Rawat, J.

Heard Sri Dharam Veer learned senior counsel for the applicant and learned A.G.A. for the State.

Perused the record. It was contended on behalf of the applicant that the case rests upon the circumstantial evidence. It has been alleged that the two Chaukidars were found dead on the back room of the godown of the complainant. It was further found that so many mobiles and other goods have been theft from the godown. The above fact was on 27.12.2004 when the employee of the complainant went to open the godown and he immediately reported the matter to the police. Thereafter, on 6.3.2004 four mobile sets were recovered from the possession of the applicant-accused and from his pointing out 563 mobile sets were recovered from co-accused Manoj Sharma and Surendra. Considering the circumstantial evidence against the applicant and facts of the case, it is a fit case for bail.

Let the applicant- accused be released on bail on his executing a personal bond and two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate Dehradun.

(J.C.S. Rawat, J.)

Dated 05.5.2005
LSR